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(Original Signature of Member)

112TH CONGRESS
2ND SESSION

H. R. _____

To reduce the number of nuclear-armed submarines operated by the Navy, to prohibit the development of a new long-range penetrating bomber aircraft, to reduce the number of intercontinental ballistic missiles operated by the Department of Defense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MARKEY (for himself and [see ATTACHED LIST of cosponsors]) introduced the following bill; which was referred to the Committee on

A BILL

To reduce the number of nuclear-armed submarines operated by the Navy, to prohibit the development of a new long-range penetrating bomber aircraft, to reduce the number of intercontinental ballistic missiles operated by the Department of Defense, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Smarter Approach to
5 Nuclear Expenditures Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The Berlin Wall fell in 1989, the U.S.S.R.
4 no longer exists, and the Cold War is over. The na-
5 ture of threats to the national security and military
6 interests of the United States has changed. How-
7 ever, the United States continues to maintain an
8 enormous arsenal of nuclear weapons and delivery
9 systems that were devised with the Cold War in
10 mind.

11 (2) The current nuclear arsenal of the United
12 States includes approximately 5,000 total nuclear
13 warheads, of which approximately 2,000 are de-
14 ployed with three delivery components: long-range
15 strategic bomber aircraft, land-based interconti-
16 nental ballistic missiles, and submarine-launched
17 ballistic missiles. The bomber fleet of the United
18 States comprises 93 B-52 and 20 B-2 aircraft. The
19 United States maintains 450 intercontinental bal-
20 listic missiles. The United States also maintains 14
21 Ohio-class submarines, up to 12 of which are de-
22 ployed at sea. Each of these submarines is armed
23 with up to 96 independently targetable nuclear war-
24 heads.

25 (3) This Cold War-based approach to nuclear
26 security comes at significant cost. Over the next 10

1 years, the United States will spend hundreds of bil-
2 lions of dollars maintaining its nuclear force. A sub-
3 stantial decrease in the nuclear arsenal of the
4 United States is prudent for both the budget and
5 national security.

6 (4) The national security interests of the
7 United States can be well served by reducing the
8 total number of deployed nuclear warheads and their
9 delivery systems, as suggested by the Department of
10 Defense's January 2012 strategic guidance titled
11 "Sustaining U.S. Global Leadership: Priorities for
12 21st Century Defense". Furthermore, a number of
13 arms control, nuclear, and national security experts
14 have urged the United States to reduce the number
15 of deployed nuclear warheads to no more than
16 1,000.

17 (5) Economic security and national security are
18 linked and both will be well served by smart defense
19 spending. Admiral Mike Mullen, Chairman of the
20 Joint Chiefs of Staff, stated on June 24, 2010, that
21 "Our national debt is our biggest national security
22 threat" and on August 2, 2011, stated that "I
23 haven't changed my view that the continually in-
24 creasing debt is the biggest threat we have to our
25 national security."

1 (6) The Government Accountability Office has
2 found that there is significant waste in the construc-
3 tion of the nuclear facilities of the National Nuclear
4 Security Administration of the Department of En-
5 ergy.

6 **SEC. 3. REDUCTION IN NUCLEAR FORCES.**

7 (a) PROHIBITION ON USE OF B-2 AND B-52 AIR-
8 CRAFT FOR NUCLEAR MISSIONS.—Notwithstanding any
9 other provision of law, none of the funds authorized to
10 be appropriated or otherwise made available for fiscal year
11 2013 or any fiscal year thereafter for the Department of
12 Defense may be obligated or expended to arm a B-2 or
13 B-52 aircraft with a nuclear weapon.

14 (b) PROHIBITION ON NEW LONG-RANGE PENE-
15 TRATING BOMBER AIRCRAFT.—Notwithstanding any
16 other provision of law, none of the funds authorized to
17 be appropriated or otherwise made available for any of fis-
18 cal years 2013 through 2023 for the Department of De-
19 fense may be obligated or expended for the research, devel-
20 opment, test, and evaluation or procurement of a long-
21 range penetrating bomber aircraft.

22 (c) PROHIBITION ON F-35 NUCLEAR MISSION.—
23 Notwithstanding any other provision of law, none of the
24 funds authorized to be appropriated or otherwise made
25 available for fiscal year 2013 or any fiscal year thereafter

1 for the Department of Defense or the Department of En-
2 ergy may be used to make the F-35 Joint Strike Fighter
3 aircraft capable of carrying nuclear weapons.

4 (d) TERMINATION OF B61 LEP.—Notwithstanding
5 any other provision of law, none of the funds authorized
6 to be appropriated or otherwise made available for fiscal
7 year 2013 or any fiscal year thereafter for the Department
8 of Defense or the Department of Energy may be obligated
9 or expended for the B61 life extension program.

10 (e) TERMINATION OF W78 LEP.—Notwithstanding
11 any other provision of law, none of the funds authorized
12 to be appropriated or otherwise made available for fiscal
13 year 2013 or any fiscal year thereafter for the Department
14 of Defense or the Department of Energy may be obligated
15 or expended for the W78 life extension program.

16 (f) REDUCTION OF NUCLEAR-ARMED SUB-
17 MARINES.—Notwithstanding any other provision of law,
18 beginning in fiscal year 2013, the forces of the Navy shall
19 include not more than eight operational ballistic-missile
20 submarines available for deployment.

21 (g) LIMITATION ON SSBN-X SUBMARINES.—Not-
22 withstanding any other provision of law—

23 (1) none of the funds authorized to be appro-
24 priated or otherwise made available for any of fiscal
25 years 2013 through 2023 for the Department of De-

1 fense may be obligated or expended for the procure-
2 ment of an SSBN–X submarine; and

3 (2) none of the funds authorized to be appro-
4 priated or otherwise made available for fiscal year
5 2024 or any fiscal year thereafter for the Depart-
6 ment of Defense may be obligated or expended for
7 the procurement of more than eight such sub-
8 marines.

9 (h) REDUCTION OF ICBMS.—Notwithstanding any
10 other provision of law, none of the funds authorized to
11 be appropriated or otherwise made available for fiscal year
12 2013 or any fiscal year thereafter for the Department of
13 Defense may be obligated or expended to maintain more
14 than 200 intercontinental ballistic missiles.

15 (i) REDUCTION OF SLBMS.—Notwithstanding any
16 other provision of law, none of the funds authorized to
17 be appropriated or otherwise made available for fiscal year
18 2013 or any fiscal year thereafter for the Department of
19 Defense may be obligated or expended to maintain more
20 than 250 submarine-launched ballistic missiles.

21 (j) PROHIBITION ON NEW ICBM.—Notwithstanding
22 any other provision of law, none of the funds authorized
23 to be appropriated or otherwise made available for fiscal
24 year 2013 or any fiscal year thereafter for the Department
25 of Defense may be obligated or expended for the research,

1 development, test, and evaluation or procurement of a new
2 intercontinental ballistic missile.

3 (k) TERMINATION OF MOX FUEL PLANT
4 PROJECT.—Notwithstanding any other provision of law,
5 none of the funds authorized to be appropriated or other-
6 wise made available for fiscal year 2013 or any fiscal year
7 thereafter for the Department of Defense or the Depart-
8 ment of Energy may be obligated or expended for the
9 Mixed Oxide (MOX) Fuel Fabrication Facility project.

10 (l) TERMINATION OF CMRR PROJECT.—Notwith-
11 standing any other provision of law, none of the funds au-
12 thorized to be appropriated or otherwise made available
13 for fiscal year 2013 or any fiscal year thereafter for the
14 Department of Defense or the Department of Energy may
15 be obligated or expended for the Chemistry and Metal-
16 lurgy Research Replacement nuclear facility.

17 (m) TERMINATION OF UPF.—Notwithstanding any
18 other provision of law, none of the funds authorized to
19 be appropriated or otherwise made available for fiscal year
20 2013 or any fiscal year thereafter for the Department of
21 Defense or the Department of Energy may be obligated
22 or expended for the Uranium Processing Facility located
23 at the Y-12 National Security Complex.

24 (n) TERMINATION OF MEADS.—Notwithstanding
25 any other provision of law, none of the funds authorized

1 to be appropriated or otherwise made available for fiscal
2 year 2013 or any fiscal year thereafter for the Department
3 of Defense may be obligated or expended for the medium
4 extended air defense system.

5 **SEC. 4. REPORTS REQUIRED.**

6 (a) INITIAL REPORT.—Not later than 180 days after
7 the date of the enactment of this Act, the Secretary of
8 Defense and the Secretary of Energy shall jointly submit
9 to the appropriate committees of Congress a report out-
10 lining the plan of each Secretary to carry out section 3.

11 (b) ANNUAL REPORT.—Not later than March 1,
12 2013, and each year thereafter, the Secretary of Defense
13 and the Secretary of Energy shall jointly submit to the
14 appropriate committees of Congress a report outlining the
15 plan of each Secretary to carry out section 3, including
16 any updates to previously submitted reports.

17 (c) ANNUAL NUCLEAR WEAPONS ACCOUNTING.—
18 Not later than September 30, 2013, and each year there-
19 after, the President shall transmit to the appropriate com-
20 mittees of Congress a report containing a comprehensive
21 accounting by the Director of the Office of Management
22 and Budget of the amounts obligated and expended by the
23 Federal Government for each nuclear weapon and related
24 nuclear program during—

25 (1) the fiscal year covered by the report; and

1 (2) the life cycle of such weapon or program.

2 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
3 FINED.—In this section, the term “appropriate commit-
4 tees of Congress” means—

5 (1) the Committee on Armed Services, the
6 Committee on Foreign Relations, the Committee on
7 Appropriations, and the Committee on Energy and
8 Natural Resources of the Senate; and

9 (2) the Committee on Armed Services, the
10 Committee on Foreign Affairs, the Committee on
11 Appropriations, the Committee on Energy and Com-
12 merce, and the Committee on Natural Resources of
13 the House of Representatives.